

Clarke County

AGRICULTURAL AND FORESTAL DISTRICT (AFD) ADVISORY COMMITTEE MINUTES – OCTOBER 8, 2015 MEETING



A meeting of the Agricultural and Forestal District (AFD) Advisory Committee was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Thursday, October 8, 2015 at 5:05PM.

ATTENDANCE

Members Present: Samuel Buckley, Emily Day, Carolyn Gordon, Carole Haynes, Beverly McKay, Deb Norman, Philip Shenk, Donna Peake

Members Absent: Corey Childs, Tupper Dorsey

Staff Present: Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator

Approval of Agenda:

Committee members approved the meeting agenda by consensus.

Election of Officers:

Mr. Stidham opened the floor for nominations for Chair. Mr. McKay nominated Mr. Shenk and there were no other nominations. Mr. Stidham closed the floor to nominations and called for the vote. All voted AYE.

Mr. Stidham opened the floor for nominations for Vice-Chair. Mr. McKay nominated Ms. Day and there were no other nominations. Mr. Stidham closed the floor to nominations and called for the vote. All voted AYE.

Confirm Meeting Dates & Times:

Chair Shenk asked about the upcoming meeting schedule. Mr. Stidham stated that there will be a required public meeting with landowners that must be scheduled in November and possibly an additional meeting to take action on the proposed additions to the District. Following review of possible dates and times, the members agreed to schedule the public information meeting with District landowners on Thursday, November 12 at 7:00PM, and an additional meeting on Monday, November 30 at 10:00AM. The members agreed that Thursdays at 5:00PM would work for future meetings.

Discussion of Six-Year Review:

Mr. Stidham reviewed the Freedom of Information Act and Open Meeting regulations as it pertains to the Committee. He then provided an overview of the AFD program, State law and County code requirements, and recent changes to State law since the last six year review. He also discussed the differences between the AFD program and the land use assessment program operated through the Commissioner of the Revenue office.

Mr. McKay asked whether lands in conservation easement are automatically included in the District. Mr. Stidham said that they are not and that the two programs have been historically treated separately from one another. He did note that there are several properties that are both in easement and in the District, and he noted that properties in easement are taxed at the land use rate.

Vice Chair Day asked for clarification on the circumstances by which land can be withdrawn from the District. Mr. Stidham said that during the District term, land can only be withdrawn upon the death of the landowner or if the landowner is suffering financial hardship approaching confiscation of property. He said that during the term review process, landowners can withdraw properties at their discretion by providing a written request to the County.

Chair Shenk asked how the public would be notified of the public information meeting. Mr. Stidham replied by noting the draft letter enclosed that would be sent to all current District members along with the enclosed 3-page informational handout. He said that the program review would be posted on the County website and that he hoped to get help from the Winchester Star in the form of an outreach article on the effort. Vice Chair Day asked if notice could be sent to landowners not in the program. Mr. Stidham replied that the program review unfortunately did not match up with deadlines to include information in the fall tax bill mailing. Chair Shenk asked if information could be sent to members of the land use assessment program that are not in the District and Mr. Stidham replied that they could do this. Members did not offer any other comments on the draft letter to District landowners or on the 3-page informational handout.

Mr. Stidham asked the Committee's opinion on scheduling a designated time period throughout the District term to review applications or whether they prefer to meet as applications are filed. He also asked whether the Committee wanted to meet annually whether applications are received or not. Chair Shenk and Vice Chair Day were supportive of an annual meeting. Vice Chair Day also asked whether there is a statutory time frame to take action on new applications. Mr. Stidham said there is a time frame for completing the District review but there was not a stated time frame for interim review of applications. Ms. Gordon suggested including notice of the annual review period in the spring tax bills with the review period occurring in the summer. Ms. Haynes asked if Staff inspects the properties for which applications have been received, and Mr. Stidham replied that Staff can begin doing this activity now that State law includes Staff in the process. He said that he could also organize site visits for interested Committee members. Chair Shenk suggested setting July 1 as the annual due date for filing new applications. Mr. Stidham said that he would create a draft review process for the members to consider at the next meeting.

Mr. Stidham also stated that he is checking with the County Attorney as to whether properties added to the District term would have their own six year terms or whether their term could be set to match

up with the remainder of the District term. Mr. McKay suggested publicizing the AFD program in the Easement Authority's newsletters.

Mr. Stidham advised that Mr. Fincham is the Staff point of contact for all questions, new applications, and withdrawals. He also reviewed the action items:

- District landowner meeting scheduled for 7:00PM on Thursday, November 12.
- Committee meeting scheduled for 10:00AM on Monday, November 30.
- Site visits to new applicant properties and other select District properties.
- Mailing to go out to AFD landowners and land use assessment program members.

The meeting was adjourned at 5:49PM.


Philip Shenk, Chair


Brandon Stidham, Planning Director